

CHAPTER XIV

POLICE.

You will find in your Sub-Division one or more Police Inspectors and a number of Police Sub-Inspectors. These officers will of course pay an official call on you, but your relations with the Police of your Sub-Division must not remain mere formalities. You, as Sub-Divisional Magistrate, are responsible for seeing that peace and good order prevail in your Sub-Division and you need to know pretty well as much about the conditions of law and order, as the local Police officers themselves. You and the Police are jointly engaged in this task, and in the same way as the District Superintendent of Police or his sub-divisional officer will insist that the Police Sub-Inspectors co-operate fully with your Mamlatdars and Magistrates, so you must see that your officers co-operate with the local Police.

Do not fall into the error that your own contact with the Police is merely to sit in judgment on the cases they send up to your Court, but take every opportunity of discussing local matters with the Police officers in your Sub-Division, and encourage them to explain and discuss their difficulties with you. This will lead to an appreciation of the practical difficulties of Police work which will probably save you from many mistakes in trying your cases, and on the other hand the Police officers will realize the criteria which a magistrate must apply to cases and to evidence put up by the Police. The Police Sub-Inspectors will then come to understand that the Sub-Divisional Magistrate regards them as his

co-adjutors in administration, and not as corrupt inquisitors and oppressors of the poor.

Remember that as a result of the Police Commission, the personnel, outlook and morale of the Police, has changed enormously in the last 30 years. Though you must of course keep your eyes open for cases where Police officers may fail in, or may exceed, their duty it is safe to say that most complaints of Police "zulum" are baseless, and designed merely to prejudice the case in favour of the accused; and you may work on the assumption that the Police are as honest and upright as other Government servants; and it is just as much your duty to protect the Police, and other public servants, from harassment and unjust attack, as it is to protect the public from unjust officials.

Accusa-
tions
against
the Police.

Government have issued administrative orders regarding the investigation of charges of serious misconduct made against the Police, designed to ensure both that charges are promptly and efficiently investigated and that the Police are not exposed to baseless harassment.

These orders are given in Appendix E and should be carefully studied. In particular, if you get a complaint against the Police it is always desirable to hold a preliminary enquiry under section 202, Criminal Procedure Code, preferably by sending the complaint under that section to the District Superintendent of Police or the Police Sub-Divisional Officer.

It is better that all complaints against Police officers, even trivial ones, should be tried by you as Sub-Divisional Magistrate.

One subject on which you are likely to have difference of opinion with the Police is on the work of Police Patels and Village watchmen. Admittedly these are often incompetent or lazy in their duties and the Police, anxious to increase the Police efficiency of these officials, desire to get them under their sole control. This however is not contemplated by the system of administration, nor permitted by the Watan Act, nor having regard to their minute or non-existent remuneration, is it reasonable to expect either full time or specially efficient work from Patels and village watchmen, and it is quite beyond the finances of Government to provide adequate salaries for all these thousands of Village Police.

Police officers do not always appreciate the difficulty of taking any action against Watandar Village Officers, whose dismissal, etc., are governed by the complicated machinery of the Watan Act. You will probably find in practice that more can be done to keep Patels and others up to the mark by encouragement and precept and by impressing on the Patels the rules Government have laid down for their guidance, than by continual disciplinary action. Cases of deliberate mal-practice or failure to render help to the Police must of course be dealt with promptly and severely under Parts IX-X of the Watan Act. It is well to discuss the difficulty of dealing with Watandar village servants with Sub-Divisional Police Officer and the Police Sub-Inspectors when opportunity offers as this enables you to appreciate the Police difficulty and the Police to appreciate the intricacies of the Watan Act.